



### TERMINAL DISCLAIMER

In re Application of: Junming Le, Jan Vilcek, Peter Daddona, John Ghrayeb, David Knight and Scott Siegel

Application No. 10/774,118

Filed: February 6, 2004

Confirmation No.: 8464

For: ANTI-TNF ANTIBODIES AND PEPTIDES OF HUMAN TUMOR  
NECROSIS FACTOR

The owners, Centocor, Inc. and New York University, of 100 percent interest in the instant application hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term (defined in 35 U.S.C. §§154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 11/314,941, filed on February 6, 2004) of any patent on the pending second application. The owners hereby agree that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

In making the above disclaimer, the owners do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The terminal disclaimer fee under 37 CFR §1.20(d) is enclosed.

The undersigned is an attorney or agent of record.

*March 23, 2007*

Date

*Deirdre E. Sanders*

Deirdre E. Sanders

Registration No. 42,122

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

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